

REMARKS

The foregoing amendments and these remarks are responsive to the Office Action mailed December 17, 2003 in connection with the above-identified application. The Applicant notes that the Action has been made Final. The instant amendments reduce the number of claims pending and do not add any new matter. It is respectfully requested that the Examiner enter the amendments and pass the application to issue.

Claim Rejections 35 U.S.C. § 103

In the Action, claims 1 and 3-14 were rejected under 35 U.S.C. 103(a) as being anticipated by Van Huben et al., U.S. Patent No. 5,878,408, and Bhaskaran et al., U.S. Patent No. 6,157,915, and in further view of Bentley et al., U.S. Patent No. 6,063,128.

In response to the Examiner's rejections, the Applicant has amended Claim 1 to include the following steps:

- (a) providing a graphical user interface to allow a user to input a specific geographic location of an engineering project
- (b) retrieving regulatory data from a Web page review which conforms to the specific geographic location (using the database of approved URL links);
- (c) retrieving permit information from a Web page review which conforms to a specific geographic location (using the database of approved URL links);
- (d) inserting the regulatory data and permit information into the job folder checklist

(e) formulating construction procedures and inserting the construction procedures into a project flow chart template.

The instantly amended claim 1 includes the subject matter of claims 12 and 13, which have been canceled in the foregoing amendments.

In the Action, the Examiner stated: "Van Huben et al. as modified still does not teach further including a step of selection of regulatory data to conform with a specific location."

The Examiner contends that Bhaskaran et al. teaches further including a step of selection of regulatory data to conform to a specific geographical location, and states that it would have been obvious to Van Huben et al. in view of Bhaskaran et al. to include this step.

The Applicant respectfully disagrees. The Examiner specifically points to Figure 4 of Bhaskaran et al. to support this assertion. The Examiner states: "See Figure 4, shows "specific geographical location" represented by "Part Number" heading which indicates that the party can be displayed under "geography" as a choice from the drop-down menu." However, the relevant description in Bhaskaran et al. for Figure 4 (column 6, lines 7-20) is as follows:

FIG. 4 shows an active window 400 that may be accessed by a specific role player (e.g. a demand planner) in the supply chain. The active document 400 includes a header 410 which comprises contextual information including, for example, (i) the name of the originator of the scenario, (ii) the scenario name, (iii) the date of which the scenario was created, (iv) the planning cycle for which the scenario applies and (v) the status of the scenario. An embedded business object that provides two visual interfaces, **selection interface 420** and **spreadsheet interface 430**, is also provided. The **selection interface 420** provides drill down capabilities by selecting records of interest, whereas the **spreadsheet interface 430** allows the user to browse and edit the **data** associated with the user selection.

Referring to Fig. 4 in Bhaskaran et al., it can be seen on the right hand side that "GEOGRAPHY" appears as a selection under the heading "Columns to Display." Thus, when Fig. 4 is evaluated in view of the foregoing description, it is apparent that "GEOGRAPHY" is the heading of a column in a spreadsheet which is displayed when one selects the spreadsheet interface 430. The selection interface 420 allows one to initially select which columns will be displayed in the spreadsheet to be viewed. It is apparent from the context of Bhaskaran et al. that the geographical "data" is in a format which can be accessed and viewed on a spreadsheet.

Bhaskaran et al. do not teach providing a graphical user interface to allow a user to input a specific geographic location to access indexed URL links associated with different geographic locations. In the example cited by the Examiner in Bhaskaran et al., GEOGRAPHY can be selected as a column heading in a spreadsheet containing proprietary data. Bhaskaran et al. also do not teach retrieving regulatory information and permit information from Web sites which are accessed through the indexed URL links based on the initial selection of a geographic location.

Also, Bhaskaran et al.'s geographic "data" is concise information presented in a column of a spreadsheet, whereas the regulatory "data" and permit information in Applicant's invention is in the form of text documents, usually provided in .pdf format. There is therefore no similarity with regard to the "data" used in the respective systems.

Bhaskaran et al. is concerned with managing supply chains and distribution systems for products, and provides a means to manage product distribution between various geographic areas based on regional demand. The Applicant's invention is directed to the planning of engineering

projects, particularly civil engineering and construction projects. In the Applicant's invention, a single physical location for a project is selected at the outset of the process, for example by inputting a ZIP code. Bhaskaran et al. coordinates product distribution between different geographic regions in a supply chain. Thus, the meaning of the term "geographic location" is totally different in the context of Bhaskaran et al. and Applicant's invention. The Applicant believes the only similarity between Bhaskaran et al. and Applicant's invention is the use of the term "geography" in a description of a Internet-based system. The Applicant believe that this in itself is not sufficient to establish that the respective systems are in any way analogous.

The Applicant also disagrees with the Examiner's assertion that the use of the term "industry standards" in Bhaskaran et al. (column 5, line 31) reads on "regulatory data" in the Applicant's system. The term "industry standards" is not specifically defined in Bhaskaran et al., therefore the Applicant believes that one must look to the context of the invention for the meaning. Bhaskaran et al. is directed to the movement of goods through a supply chain, i.e. *finished products which have already been manufactured* and are being moved through the marketplace. Thus, the term "industry standards" in Bhaskaran et al. is not referring to engineering specifications in the context of construction or manufacturing. The term "industry standards" as used in Bhaskaran et al. could not possibly be used to mean regulatory and permit information which would be required in civil engineering or construction projection as this is outside of the context of the disclosure.

In view of the foregoing, the Applicant believes that it would not be possible to modify

Van Huben et al. in view of Bhaskaran et al. to produce the Applicant's invention, and that the proposed combination appears to be improperly based on hindsight. It is respectfully submitted that to promulgate the instant rejection the Examiner must pick and choose discrete elements from Bhaskaran et al. out of context, specifically the reference to "geographical regions."

In the Action, the Examiner confirmed that Van Huben et al. does not teach further including a step of selection of regulatory data to conform with a specific location. The Applicant believes that the foregoing demonstrates that this step is not taught in Bhaskaran et al.

The Applicant's submits that the instantly amended claim 1 is patentable over Van Huben et al. in view of Bhaskaran et al., and that there is therefore no *prima facie* case of obviousness. The Applicant therefore respectfully requests reconsideration and withdrawal of the rejection of claim 1 under 35 U.S.C. 103(a). The Applicant further submits that claims 3-11 and 14 are now allowable because they depend from an allowable base claim. The Applicant therefore respectfully requests withdrawal of the rejection under 35 U.S.C. 103(a) of claims 3-11 and 14. Claims 12 and 13 have been cancelled.

Conclusion

The Applicant respectfully submits that the application now stands in condition for allowance. The Examiner is requested to telephone the undersigned in order to discuss any

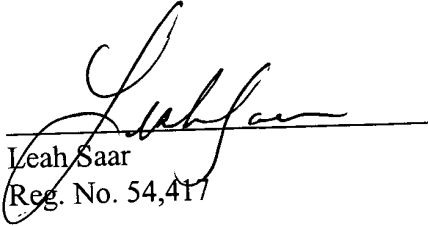
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further objections, allowing Applicant to expedite a response.

Respectfully submitted,

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